THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17159 of 2005

DATED: 04-08-2005

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Between:

1. Singireddy Bharatamma,

W/o. Kumara swamy,

R/o. Venkatapoor Village of Duggondi

Mandal, Warangal District and four others …..Petitioners

AND

The Special Deputy Collector,

Land Acquisition Officer, L.A.Unit-3,

S..R.S.P.Warangal. …..Respondents

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WRIT PETITION No.17159 of 2005

O R D E R:

This writ petition is filed seeking a direction to the respondent to refer the applications of the petitioners dated 15.11.1990 under Section 18 of the Land Acquisition Act (for short "the Act") to a Civil Court for proper adjudication of the market value of the lands of the petitioners, which were acquired by the respondent.

It is the case of the petitioners that their lands were acquired by the respondent for excavation of 9L of DMB 38 of Kakatiya Canal. Notification under Section 4 (1) of the

Act was published on 08.02.1990. The respondent after conducting enquiry passed Award on 26.10.1990 by fixing the market value of the acquired lands @ Rs.10,000/- per acre. The petitioners received the compensation under protest and submitted applications on 15.11.1990 under Section 18 of the Act to refer the matter to the civil Court for proper adjudication of the market value of the lands. The grievance of the petitioners is that the respondent has not passed any orders on their applications. Hence, this writ petition seeking necessary directions in this regard.

Heard the learned counsel for the petitioners and also the learned Government Pleader for Land Acquisition.

Having regard to the material available on record and since the applications of the petitioners have not been considered by the respondent, without going into the merits of the case, this Court is of the opinion that the ends of justice would be met, if a direction is given to the respondent to consider the applications of the petitioners.

Accordingly, the writ petition is disposed of with a direction to the respondent to consider the applications of the petitioners dated 15-11-1990 and pass appropriate orders, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. No order as to costs.

04.08.2005

kdl